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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,510	04/06/2000	Phil Wyatt	MCO-P-00-002	9065

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EXAMINER

LY, ANH

ART UNIT PAPER NUMBER

2172

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/544,510

Applicant(s)

WYATT, PHIL

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 10/15/2002 with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 1-21 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,956,716 issued to Kenner et al. (herein Kenner).

With respect to claim 1, Kenner discloses providing a remote server having a database; accessing the remote server via a first remote computer on a computer network (col. 6, lines 42-52); accessing the remote server via a first remote computer on a computer network (col. 6, lines 45-52); creating a website having a first web page by the remote computer on the remote server wherein

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the website relates to a healthcare provider providing healthcare services (col. 23, lines 3-10 fig. 4; also see col. 19, lines 50-64); assigning pre-defined attributes to the website that uniquely identify the website (col. 23, lines 37-49); and linking the website to the database wherein the database is searchable via a search engine wherein the search engine searches the database for specific attributes (col. 22, lines 62-67 and col. 23, lines 1-22).

Kenner does not explicitly indicate, "the website relates to healthcare provider providing healthcare services"; however, Kenner discloses an application to this system may also used to provide information about the healthcare providers to patients, that is, the services are from/to healthcare provider to patients (col. 19, lines 52-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Kenner such as remote server, database, search engine, website and healthcare to patients information so as to obtain a method for keeping tracking of billing information for the users of the system (col. 5, lines 35-38). Also this system allows users to access data from web on the Internet or other networks (col. 5, lines 40-41) and the desired content can be efficiently retrieved from alternates sites (col. 5, lines 50-55) in the Internet web-based services environment.

With respect to claim 15, Kenner discloses a remote server having a database therein on a computer network (col. 6, lines 42-52); a first remote computer connected to the remote server via the computer network wherein a website having a web page is created on the remote server via the remote

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computer using pre-defined information contained on the remote server wherein the website relates to a first healthcare provider providing healthcare services and further wherein the website is stored on the database and pre-defined attributes associated with the website for uniquely identifying the website in the database (col. 6, lines 45-52; col. 23, lines 3-10 fig. 4; also see col. 19, lines 50-64; col. 23, lines 3-49; col. 22, lines 62-67 and col. 23, lines 1-22).

Kenner does not explicitly indicate, "the website relates to healthcare provider providing healthcare services"; however, Kenner discloses an application to this system may also used to provide information about the healthcare providers to patients, that is, the services are from/to healthcare provider to patients (col. 19, lines 52-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Kenner such as remote server, database, search engine, website and healthcare to patients information so as to obtain a method for keeping tracking of billing information for the users of the system (col. 5, lines 35-38). Also this system allow users to access data from web on the Internet or other networks (col. 5, lines 40-41) and the desired content can be efficiently retrieved from alternates sites (col. 5, lines 50-55) in the Internet web-based services environment.

5. Claims 2-14 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,956,716 issued to Kenner et al. (herein

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Kenner) in view of US Patent No. 6,195,651 issued to Handel et al. (hereinafter Handel).

With respect to claims 2-7, Kenner discloses a method for creating websites for individuals, healthcare facilities and other healthcare providers as discussed in claimed 1.

Kenner does not explicitly indicate, "searching the database for the specific attributes; creating an update button on the website for instantly amending the database when the update button is chosen by the healthcare provider; storing the pre-defined attributes on the database for recall of the attributes for placement on the website; networking a plurality of databases for storing the websites; accessing the remote server for recalling the website stored on the database; and adding links to the website for linking other websites relating to other healthcare providers to the website."

However, Handel discloses searching databases and web pages as claimed (see figs 10A-10B and 18, col. 9, lines 48-62, col. 12, lines 25-47 and lines 66-67, col. 13, lines 1-25, col. 17, lines 14-67, col. 18, lines 1-6, col. 29, lines 65-67, col. 30, lines 1-67 and col. 31, lines 1-42).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kenner with the teachings of Handel so as to obtain an approach for creating websites. This combination would provide have a method for creating web-site that stored in the database (see figs. 10A and 10B; col. 30, lines 15-67 and col. 31, lines 1-42) in the Internet web-based services environment.

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With respect to claims 8-14, Kenner discloses a method for creating websites for individuals, healthcare facilities and other healthcare providers as discussed in claimed 1.

Kenner does not explicitly indicate, "adding one or more photographs, graphics and logos to the website via the remote computer; associating the website with one or more practitioners who practice at least one of a practice, a clinic, a hospital or a healthcare facility; creating one or more web pages on the website having information thereon related to the healthcare provider wherein the healthcare provider has a practice location; accessing the database via a second remote computer; searching the database for the attributes of the website; and displaying the website; choosing pre-defined information to add to the website wherein the information uniquely identifies the website for searching of the website for the pre-defined information; adding a plurality of web pages to the website related to the healthcare provider; and organizing the attributes into files for storage within the database; and searching the files via a search engine for at least one of the attributes stored within the database."

Handel discloses logos, ASP pages, health care facility, displaying the web page to users, database and search engines as claimed (col. 36, lines 6-36, col. 42, lines 10-67; and col. 43, lines 1-67; see figs 10A-10B and 18, col. 9, lines 48-62, col. 12, lines 25-47 and lines 66-67, col. 13, lines 1-25, col. 17, lines 14-67, col. 18, lines 1-6, col. 29, lines 65-67, col. 30, lines 1-67 and col. 31, lines 1-42).

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kenner with the teachings of Handel so as to obtain an approach for creating websites. This combination would provide have a method for creating web-sites that are stored in the database (see figs. 10A and 10B; col. 30, lines 15-67 and col. 31, lines 1-42) in the Internet web-based services environment.

With respect to claims 16-21, Kenner discloses a system for creating website for healthcare provides as discussed in claim 15.

Kenner does not explicitly indicate, "an update button on the website for instantly amending the website; an update button on the website for instantly amending the pre-defined attributes contained in the database; a search engine on the remote server for searching the database for the website via the attributes; a plurality of databases networked together for storing and accessing the website; a second remote computer wherein the second remote computer accesses the website; and links on the website for linking other websites to the website."

However, Handel discloses web pages and database as claimed (col. 9, lines 48-62, col. 12, lines 25-47 and lines 66-67, col. 13, lines 1-25, col. 17, lines 14-67, col. 18, lines 1-6, col. 29, lines 65-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kenner with the teachings of Handel so as to obtain an approach for creating websites. This combination would provide have a method for creating web-sites that are stored

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in the database (see figs. 10A and 10B; col. 30, lines 15-67 and col. 31, lines 1-42) in the Internet web-based services environment.

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Contact Information

6. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 746-7238 (after Final Communication)


or: (703) 746-7239 (for formal communications intended for entry)

or: (703) 746-7240 (for informal or draft communications, or Customer Service Center, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

ALH
Dec. 27th, 2002.


HOSAIN T. ALAM
PRIMARY EXAMINER